

Notice of Allowability

Application No.

09/682,231

Examiner

Tran A. Quoc

Applicant(s)

ROSENHOLTZ ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Communication paper filed 06/15/2007 & Telephone Interviewed on 10/15/2007.
2. ☒ The allowed claim(s) is/are 1-8.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>10/15/2007</u> . |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>03/10/25006</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

/Doug Hutton/
Supervisory Patent Examiner
Technology Center 2100

DETAILED ACTION

In response to After Final Amendment filed 06/15/2007 and telephone interview on 10/15/2007. Claims 1 and 6 have been amended. Claims 2-5, and 7-8, previously presented. The claims have been amended in accordance with the substance of the telephone interview(s). Favorable consideration of the pending claims and passing them allowance is agreed upon. After Final Amendment filed 06/15/2007 are accepted.

It is noted the Applicant(s) Terminal Disclaimer file 10/22/2007 has been approval on 10/30/2007, therefor the obviousness-type double patenting as being unpatentable over claims 1-40 of U.S. Patent No. US007069506B2 issued June 27, 2006 hereby withdrawn accordingly.

Authorization for this examiner's amendment was given in a telephone interview with James Oliff and Kentaro Highuchi, Attorney(s) for Applicant(s) on 09/12/2007.

Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

1. **(Currently Amended)** A computer-executable method of displaying a document associated with a thumbnail generated based on an original document, comprising:

displaying the thumbnail corresponding to an original document and including an enhancement in appearance as displayed on the thumbnail ~~and an enhancement in appearance as displayed on the thumbnail~~; said at least one first selectable element, each at least one first selectable element having, as an associated destination, one of a portion of the original document accessible by selection of a second selectable element provided in the original document, and

a document other than the original document accessible by selection of a second selectable element provided in the original document, wherein another portion corresponding to a position different from the second selectable element;

receiving a request to display the original document ~~[[:]]~~ , said displaying a first version of the original document, at least ~~a portion of the first version corresponding to the enhancement being more similar in visual appearance to a corresponding portion of the thumbnail than a corresponding portion of the original document based on comparison of the at least a portion of the first version to the corresponding portion of the original document and the~~

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~~corresponding portion of the thumbnail.~~ receiving a selection of one of the at least one first selectable element; and directly accessing the associated destination based on the selection without first accessing the original document, wherein the thumbnail is a reduced-size representation of at least a part of the original document.

2. (Previously Presented) The method according to claim 1, further comprising:

displaying a second version of the original document in which a portion corresponding to the at least a portion of the first version is more similar in visual appearance to the corresponding portion of the original document than to the corresponding portion of the first version based on comparison.

3. (Previously presented) The method according to claim 2, wherein the second version of the original document is substantially identical to the original document.

4. (Previously Presented) The method of claim 1, wherein the corresponding portion of the thumbnail comprises an element modified during generation of the thumbnail.

5. (Previously Presented) An information storage medium on which is recorded a program for implementing the steps of claim 1.

6. **(Currently Amended)** An apparatus for displaying a document associated with a thumbnail image created based on an original document, comprising:

a display device; and

a controller that:

displays the thumbnail image via the display device, the thumbnail corresponding to an original document and including an enhancement in appearance as displayed on the thumbnail; said at least one first selectable element, each at least one first selectable element having, as an associated destination, one of a portion of the original document accessible by selection of a second selectable element provided in the original document, and

a document other than the original document accessible by selection of a second selectable element provided in the original document, wherein another portion corresponding to a position different from the second selectable element;

~~receives a request to display the original document associated with the thumbnail image; and displays a first version of the original document via the display device, at least a portion of the first version corresponding to the enhancement being more similar in visual appearance to a corresponding portion of the thumbnail than a corresponding portion of the original document based on comparison of the at least a portion of the first version to the corresponding~~

~~portion of the original document and the corresponding portion of the thumbnail.~~

receiving a request to display the original document, said displaying a first version of the original document, at least receiving a selection of one of the at least one first selectable element; and directly accessing the associated destination based on the selection without first accessing the original document, wherein the thumbnail is a reduced-size representation of at least a part of the original document.

7. (Previously Presented) The apparatus according to claim 6, wherein the controller further displays, via the display device, a second version of the original document in which a portion corresponding to the at least a portion of the first version is more similar in visual appearance to the corresponding portion of the original document than to the corresponding portion of the first version based on comparison.

8. (Previously Presented) The apparatus according to claim 7, wherein the second version of the original document is substantially identical to the original document.

Response to Arguments

Applicant's arguments filed 06/15/2007 have been fully considered and they are persuasive.

Allowable Subject Matter

Claims 1-8 are allowed.

The following is an examiner's statement of reasons for allowance:

Interpreting the claims in light of the specification, Examiner finds the claimed invention is patentably distinct from the prior art of record, Rohrabough et al US 20020091738A1, CIP of 09/828,511 filed 07/07/2001, non-provisional of provisional 60/211,0169 filed 06/12/2000 in view of Printed Publication by Harry et al. "Browsers with Changing Parts: a Catalog Explorer for Philip Glass' Website" Published August, 2000- US, which set forth in the previous rejection mailed on 05/02/2007.

The prior art of record fail to teach all of the Applicant's claimed limitation. In particular, the feature wherein an enhancement in appearance as displayed on the thumbnail said at least one first selectable element, each at least one first selectable element having, as an associated destination, one of a portion of the original document accessible by selection of a second selectable element provided in the original document, and a document other than the original document accessible by selection of a second selectable element provided in the

original document, wherein another portion corresponding to a position different from the second selectable element.

The Examiner asserts that the claims overcome the prior art of record when the limitations are read in combination with the respective claimed limitations in their entirety.

The dependent claims, being further limiting to the independent claims, definite and enabled by the Specification are also allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quoc A. Tran whose telephone number is 571-272-8664. The examiner can normally be reached on 9AM - 5PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on 571-272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Quoc A, Tran/
Patent Examiner
Art Unit 2176
10/30/2007

/Doug Hutton/
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